

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/823,727

Filing Date: 04/14/2004

Applicant: Maxcess Technologies Inc.

Title: Modular Access Floor System
with Airseal Gasket

Examiner: Yvonne Michele Horton

Attorney's Ref.: 1596-3/AMK

RESPONSE

To the Official Action

Dated: October 13, 2006

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, **Mail Stop Amendment**
Randolph Building
401 Dulany Street
Alexandria, VA 22314
U.S.A.

Dear Sir:

AMENDMENT AFTER NON-FINAL

REMARKS

The Examiner has rejected claims 1 to 3, 6, 8, 10 to 12, 14 and 15 on the basis that they are anticipated by U.S. Patent No. 5,048,242 ("Cline"). The Examiner has also objected to claims 7, 9 and 16 on the basis that these claims are obvious in view of Cline. Applicant respectfully submits that the Examiner's objections should be withdrawn in view of the following remarks.

The claimed invention is an access floor assembly for installation on a sub-floor. The access floor assembly has a plurality of elongate support members that each has a base for attachment to the sub-floor and a head that is longitudinally spaced from the base. The assembly also includes a plurality access floor panels. The access floor panels have a top planar surface and an opposed bottom planar surface. The bottom surface is detachably connectable to the head of at least one of the support members. The access floor panels each have peripheral edges for abutting a

peripheral edge of an adjacent access floor panel. A plurality of gaskets provides an air tight seal between the peripheral edges of abutting access floor panels. Each gasket has a first portion for attachment to one of the floor panels and a flexible and resilient sealing portion for creating a seal between the peripheral edges of the abutting access floor panels.

The claimed invention provides a stringerless access floor system wherein the floor panels are sealed effectively to provide an air pressure beneath the access floor that permits air to be delivered to a space from beneath the floor in a controlled and efficient manner.

Cline on the other hand discloses an access floor system that includes a plurality of floor panels, each panel having a pan and a cooperating top plate. The top plate is folded over a peripheral flange of the pan to define a hemmed edge. A trim piece is configured to snap over the hemmed edge of the floor panel. A support pedestal assembly includes a support plate configured to support the floor panels at their corners. Generally T-shaped stringers are joined to the support plates in a grid-like pattern. The stringers are rigidly connected to the plates or snap-on to lock tabs defined by the plates.

Cline discloses a stringer-based system. Stringer based systems are disadvantageous because they are expensive and the stringer frame imposes a permanently installed structure that makes access to components and services under the floor more difficult. The claimed invention however provides for a modular stringerless access floor system wherein the floor panels are sealed effectively to provide an air pressure beneath the access floor that permits air to be delivered to a space from beneath the floor in a controlled and efficient manner. This addresses the problem of the system of Cline which leaves a gap around the perimeter of the floor panels that permits a flow of air through the access floor. In buildings with under floor air this may be disadvantageous as this airflow loss makes it difficult and or inefficient to maintain air pressure under the access floor. This is a significant drawback because a specified air pressure is required beneath the access floor for ventilation purposes in order to deliver air from beneath the access floor to the space above the floor in a consistent and controlled manner. However, air cannot be delivered in an efficient way through diffusers in the floor panels in an access floor if there is a high level of leakage in through the floor panel edges.

A critical element of the claimed invention is a plurality of gaskets for providing an air tight seal

between the peripheral edges of abutting access floor panels. Cline does not disclose or suggest this element. Rather, the system of Cline has trim pieces 16 (referred to as a gasket by the Examiner) that function in the attachment of panels to the pedestals. The trim pieces 16 are mechanically locked on to the hemmed edge portion 28 of pan 10 (col 3, lines 24-26). The trim piece is described as an elongated, vinyl extrusion which is configured to snap over the hemmed edge (col 3, line 27, abstract). Neither the trim pieces 16 nor any other element provide an air tight seal between adjacent panels.

Independent claim 12 claims an access floor panel including a gasket having a flexible and resilient sealing portion adapted to create a seal between the peripheral edges of floor panels. Applicant submits that Cline does not teach any element adapted to create a seal between the peripheral edges of floor panels.

Applicant further submits that dependent claims 2, 3, 6, 8, 10, 11, 14 and 15 are allowable as they all dependent on independent claims 1 and 12.

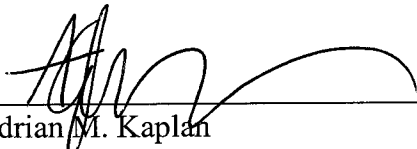
It is therefore respectfully submitted that the Cline reference does not disclose an access floor assembly or an access floor panel having the elements and advantages of the present invention. It is submitted that the claimed invention is both novel and unobvious over Cline.

Applicant submits that based on the remarks made above, claims 7, 9 and 16 which depend on allowable claims 1 and 12 are also allowable.

Favourable reconsideration and allowance of this application are respectfully requested.

Executed at Toronto, Ontario, Canada, on April 12, 2007.

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